IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.1267 OF 2002

Anant Prasad Singh .. ..Petitioner
Versus
The State of Maharashtra & ors. .. ..Respondents

None for petitioner
Smt. S.D.Shinde, APP for State

CORAM : J.N.PATEL, J.

DATE : 23RD AUGUST, 2006.

P.C.:

1. It appears that the petitioner is not interested in prosecution of the petition. The Petition is of the year 2002 and the petitioner and his advocate has failed to prosecute the same, therefore, the petition has been dismissed for want of prosecution on several occasions and restored, therefore, we dismiss the petition for non prosecution.

2. Later on Mr. Naveen Chowmal, the learned counsel for the petitioner, appears and states that he was busy in other court when the matter was called.

This Court insists the petitioner to file an application on affidavit for restoration of the matter, as the past history of the case has also been taken into consideration by this Court while dismissing the matter for want of prosecution and the respondents, in addition to the State, are private parties will have to be given notice. Therefore, the oral prayer to restore the matter made to this Court is rejected.

(J.N.Patel, J.)